

REMARKS

As a preliminary matter, the Examiner has objected to Claims 38, 39, and 42-45, asserting that certain phrases which relate to a parallel beam bundle lack antecedent basis. Claims 26 and 27, from which each of Claims 38, 39, and 42-45 ultimately depend, have been amended to include the language “a parallel beam bundle”. Accordingly, Applicants respectfully assert that Claims 38, 39, and 42-45 are now in acceptable form.

As another preliminary matter, the Examiner has rejected Claims 32 and 33 under 35 U.S.C. § 112, second paragraph, asserting that the phrase “preferably” renders the claims indefinite. Claims 32 and 33 stand currently amended to delete the language relating to the phrase “preferably”. Accordingly, Applicants respectfully assert that Claims 32 and 33 are now in acceptable form.

The Examiner has rejected Claims 23, 25-27, 30-33, 36, and 37 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,734,470 to Rogers et al. (“Rogers”). The Examiner has also rejected Claims 34, 35, 48-61 under 35 U.S.C. § 103(a) as being unpatentable over Rogers. In addition, the Examiner has objected to Claims 38-47, asserting that they are improperly dependent upon Claims 26 and 27, and should rather be dependent upon Claims 28 and 29. The Examiner has also objected to Claims 24, 28, and 29 as being dependent upon a rejected base claim. However, Examiner has conceded that Claims 24, 28, and 29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As a result, Claims 23, 26, and 27 have been amended to include all the limitations of Claims 24, 28, and 29 respectively, and Claims 24, 28, and 29 has been canceled. Claims 32 and 33 also stand currently amended. Claims 1-22 stand previously canceled.

Claims 23, 25-27, and 30-61 are currently pending. The following remarks are considered by applicant to overcome each of the Examiner's outstanding rejections to current claims 23, 25-27, and 30-61. An early Notice of Allowance is therefore requested.

I. REJECTION OF CLAIMS 23, 25-27, 30-33, 36, AND 37 UNDER 35 U.S.C. § 102(B) BASED ON ROGERS

On page 3 of the current Office Action, the Examiner rejects claims 23, 25-27, 30-33, 36, and 37 under 35 U.S.C. § 102(b) as being anticipated by Rogers. These rejections are respectfully traversed and believed overcome in view of the following discussion.

Examiner has admitted that Claims 24, 28, and 29 would be allowable if rewritten in independent form. Independent Claims 23, 26, and 27 have been currently amended to include the language of Claims 24, 28, and 29, respectively. Accordingly, Applicants respectfully assert that Claims 23, 26, and 27 are now in acceptable form, as are Claims 25, 30-33, 36, and 37 because of their dependencies on one of Claims 23, 26, and 27. Therefore, Applicants respectfully request that Examiner remove the rejections of Claims 23, 25-27, 30-33, 36, and 37 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,734,470 to Rogers et al.

II. REJECTION OF CLAIMS 34, 35, AND 48-61 UNDER 35 U.S.C. § 103(A) BASED ON ROGERS

On page 4 of the current Office Action, the Examiner rejects Claims 34, 35, and 48-61 under 35 U.S.C. § 103(a) as being unpatentable over Rogers. These rejections are respectfully traversed and believed overcome in view of the following discussion.

Claims 34, 35, and 48-61 are ultimately each dependent upon one of independent Claims 26 and 27. As Claims 26 and 27 are allowable, so must be Claims 34, 35, and 48-61. Therefore, Applicant respectfully requests that Examiner remove the rejections of Claims 34, 35, and 48-61 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,734,470 to Rogers et al.

III. OBJECTION TO CLAIMS 38-47

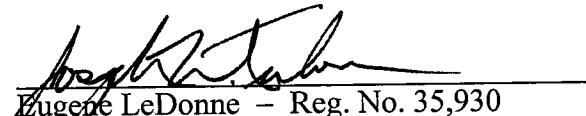
On page 5, the Examiner has objected to Claims 38-47, asserting that they are improperly dependent upon Claims 26 and 27, and should rather be dependent upon Claims 28

and 29. These objections are respectfully traversed and believed overcome in view of the following discussion.

Claims 26 and 27 have been amended to include the language of Claims 28 and 29, respectively. Accordingly, Applicants respectfully assert that Claims 38-47 are now properly dependent. Therefore, Applicants respectfully request the Examiner remove the objections to claims 38-47 as being improperly dependent.

Based upon the above remarks, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,



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